

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

ANTHONY K. IT,

Plaintiff,

v.

OFFICER BENDERAK, et al.,

Defendants.

ORDER

Case No. 18-cv-250-wmc

Plaintiff Anthony K. It, a prisoner in the custody of the Wisconsin Department of Corrections, has submitted a proposed civil action under 42 U.S.C. § 1983. Plaintiff has filed a copy of a trust fund account statement in support of his motion for leave to proceed without prepaying the fee. However, a decision regarding plaintiff's indigency status cannot be made at this time because the trust fund account statement plaintiff submitted does not cover the *entire* six-month period immediately preceding the filing of the complaint.

Plaintiff has submitted a statement for the month of March 2018. Instead, plaintiff must submit a certified copy of a trust fund account statement for the *entire* six-month period immediately preceding the filing of the complaint beginning approximately October 8, 2017 and ending approximately April 8, 2018. Once the necessary statement has been submitted, I will calculate the initial partial payment and advise plaintiff of the amount due before the court can screen the merits of the complaint under 28 U.S.C. § 1915(e)(2).

ORDER

IT IS ORDERED that plaintiff Anthony K. It may have until May 3, 2018 to submit a certified trust fund account statement for the period beginning approximately October 8, 2017

and ending approximately April 8, 2018. If, by May 3, 2018, plaintiff fails to respond to this order, I will assume that plaintiff wishes to withdraw this action voluntarily. In that event, the case will be closed without prejudice to plaintiff filing the case at a later date.

Entered this 12th day of April, 2018.

BY THE COURT:

/s/
PETER OPPENEER
Magistrate Judge